

HOUSE No. 1118

By Ms. Peisch of Wellesley, petition of Alice Hanlon Peisch and others relative to the high school graduation of certain students with disabilities. Education.

The Commonwealth of Massachusetts

PETITION OF:

Alice Hanlon Peisch	Deborah D. Blumer
David Paul Linsky	Susan C. Fargo
Ruth B. Balser	Matthew C. Patrick
Barbara A. L'Italien	Mary E. Grant
Michael E. Festa	James B. Eldridge
John W. Scibak	Walter F. Timilty

In the Year Two Thousand and Five.

AN ACT TO ENSURE THAT STUDENTS WITH DISABILITIES HAVE THE OPPORTUNITY TO PARTICIPATE IN HIGH SCHOOL GRADUATION CEREMONIES WITH THEIR NONDISABLED PEERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 71B, Section 7 of the General Laws is hereby amended
- 2 by inserting at the end the following paragraph:
- 3 In the event that a child with a disability does not pass the
- 4 Massachusetts Comprehensive Assessment System required under
- 5 M.G.L. Ch.69§I the child shall, in certain instances, be allowed to
- 6 fully participate in high school graduation ceremonies and activi-
- 7 ties conducted by or sponsored by the school or school committee
- 8 even though the child will not receive a diploma during the cere-
- 9 mony, and otherwise, such decision shall be made by the IEP
- 10 team. Any such student with a disability who has met the local
- 11 school or school district's graduation requirements shall be
- 12 allowed to participate in the graduation program and activities.
- 13 The IEP Team (including the student or parent, if appropriate)
- 14 shall determine whether it is appropriate for a child with a dis-

15 ability who has not yet met the local school or school district
16 requirements for graduation to participate in the high school grad-
17 uation ceremonies and activities. In making such determination,
18 the IEP Team shall ensure the child participates with nondisabled
19 peers to the maximum extent appropriate to his or her needs, and
20 the IEP Team shall also consider the effect on the student's social
21 and emotional well-being and the student's own expressed prefer-
22 ence. Participation in the high school graduation ceremony and
23 activities shall in no way effect or limit a child's eligibility for
24 special education services.